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PATENT TRADEMARK OFFICE

Docket No: 9386/1F051-US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Albhy Galuten et al.

Serial No. 09/471,971

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For: **ELECTRONIC MUSIC/MEDIA DISTRIBUTION SYSTEM**

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Assistant Commissioner for Patents
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Sir:

PENDING CLAIMS AS OF JANUARY 6, 2003

3. A method for distributing electronic information using a computer network comprising the steps of:
 - a. receiving from a consumer a request for a selected item of information;

b. formulating one or more offers based on predefined business rule parameters wherein the one or more offers are associated with the selected item of information;

c. providing the one or more offers to the consumer;

d. receiving a selection of one of the offers from the consumer; and

e. delivering the requested information to the consumer and enabling the consumer to use the delivered information in accordance with the selected offer.

4. The method as in claim 3, further comprising the step of validating the one or more offers for the selected item of information requested by the consumer.

5. The method as in claim 4, wherein the validating step further comprises the steps of:

a. for at least one offer, referencing an electronic contract;

b. determining whether the offer is consistent with the electronic contract; and

c. validating the offer when the offer is consistent with the electronic contract.

6. The method as in claim 5, further comprising the step of providing an alternative offer when the offer is determined to be invalid.

7. The method as in claim 5, further comprising the step of providing a default offer when the offer is determined to be invalid.

8. The method as in claim 4, wherein the validating step further comprises the step of generating rights data which determine the one or more offers associated with the information requested.

9. The method as in claim 8, wherein the generating step is performed prior to the delivering step and the rights data is delivered together with the requested information.

10. The method as in claim 8, further comprising the step of providing the rights data to the consumer in a secure format.

11. The method as in claim 8, further comprising the step of dynamically updating the rights data.

12. The method as in claim 3, further comprising the step of executing a financial transaction between the consumer and a retailer related to the use of the requested information.

13. The method as in claim 3, further comprising the step of indicating to a player associated with the consumer that the selected item of information may be rendered according to the consumer's request only when said request is consistent with said selected offer.

14. The method as in claim 3, further comprising the step of verifying the current validity of the previously selected offer at a point in time subsequent to the selection of the offer.

15. The method as in claim 3, further comprising the steps of:

a. receiving a request from the consumer for additional material about the selected item of information; and

b. providing additional material about said selected item of information to the consumer.

16. The method as in claim 15, further comprising the step of providing a sample of said selected item of information.

17. The method as in claim 3, further comprising the step of providing payment alternatives about said selected item of information to the consumer.

18. The method as claim 3, further comprising the steps of:

a. determining whether the consumer has a player; and

b. providing the consumer with the player when the consumer does not have the player; and

c. activating the player for the consumer.

19. The method as in claim 3, wherein the delivering step is performed after the enabling step, at a time designated by the consumer.

20. The method as in claim 3, wherein the delivering step further comprises the step of delivering audio information.

21. The method as in claim 3, wherein the delivering step further comprises the step of delivering graphical information.

22. The method as in claim 3, wherein the delivering step further comprises the step of delivering electronic information in a secure format.

23. The method as in claim 3, further comprising the step of providing the one or more offers to the consumer in a secure format.

24. The method as in claim 3, further comprising the step of monitoring the use by the consumer of the delivered information.

25. The method as in claim 24, wherein the monitoring step further comprises the steps of:

a. detecting the manner of use of the information previously delivered to the consumer;

- b. determining whether the use is within the scope of the selected offer; and
- c. preventing the use when the use is not within the scope of the selected offer.

26. The method as in claim 25, further comprising the step of tracking the use when the use is within the scope of the selected offer.

27. The method as in claim 26, further comprising the step of effecting a financial transaction according to the tracked use.

28. The method as in claim 27, further comprising the step of effecting a financial transaction according to the selected offer.

29. The method as in claim 3, further comprising the step of providing an offer that allows the consumer to pay an amount for each instance of use of the information.

30. The method as in claim 3, further comprising the step of providing an offer that allows the consumer to pay a fee for unlimited use of the information for a period of time.

31. The method as in claim 3, wherein the step of receiving a request further comprises the steps of:

- a. receiving a query containing one or more search terms from the consumer;

b. referencing a catalog to determine whether there is any entry containing the one or more search terms;

c. returning to the consumer one or more content references corresponding to any entry containing the one or more search terms when such entry is present in the catalog; and

d. receiving from the consumer a content reference selected by the consumer indicating a request for the information identified by the content reference.

32. The method as in claim 3, further comprising the step of receiving from a content owner an electronic contract representing an agreement between the content owner and a retailer.

33. The method as in claim 3, further comprising the step of receiving from a content owner one or more business rules representing conditions for the distribution of selected item of information.

34. The method as in claim 3, further comprising the steps of:

- a. receiving a candidate offer from a retailer;
- b. certifying the candidate offer as a certified offer; and
- c. sending the certified offer to the retailer.

35. The method as in claim 34, further comprising the steps of:

a. determining whether the candidate offer is consistent with an electronic contract;
and

b. designating the candidate offer as the certified offer when there are no inconsistencies.

36. The method as in claim 34, further comprising the steps of:

a. determining whether the candidate offer is consistent with a business rule; and

b. designating the candidate offer as the certified offer when there are no inconsistencies.

37. The method as in claim 3, further comprising the steps of:

a. determining whether there is an offer accompanying the request for the selected item of information received from the consumer; and

b. supplying an offer to the consumer when there is no offer accompanying the request received from the consumer.

38. A method for delivering electronic information using a computer network comprising the steps of:

a. sending a content reference from a first consumer to a second consumer;

b. at a central location, receiving from said second consumer a request to render a selected item of information identified by the content reference;

c. determining whether the second consumer is authorized to use the selected item of information; and

d. at the second consumer, rendering the selected item of information when the second consumer is authorized to use the selected item of information.

39. The method as in claim 38, further comprising the step of providing the selected item of information identified by the content reference to the second consumer.

40. The method as in claim 38, further comprising the steps of:

a. providing the second consumer with one or more offers for the selected item of information; and

b. receiving from the second consumer a selection of one of the offers for the selected item of information.

41. The method as in claim 38, wherein the determining step further comprises the steps of:

a. referencing an offer associated with the content reference received from the second consumer;

b. verifying the validity of the associated offer; and

c. determining whether the request to render is consistent with the associated offer.

42. A system for distributing electronic information comprising:

a. a request input section for receiving a request for a selected item of information from a consumer;

b. an offer formulation section for formulating one or more offers based on predefined business rule parameters, wherein the one or more offers are associated with the selected item of information;

c. an offer providing section for providing the one or more offers to the consumer;

d. a selection input section for receiving a selection of one of the offers from the consumer; and

e. a delivery section for delivering the requested information to the consumer and enabling the consumer to use the delivered information in accordance with the selected offer.

43. The system as in claim 42, further comprising a validating section for validating the one or more offers for the selected item of information requested by the consumer.

44. The system as in claim 43, wherein for at least one offer, the validating section references an electronic contract; determines whether the offer is consistent with the electronic contract; and validates the offer when the offer is consistent with the electronic contract.

45. The system as in claim 44, wherein the validating section provides an alternative offer when the offer is determined to be invalid.

46. The system as in claim 44, wherein the validating section provides a default offer when the offer is determined to be invalid.

47. The system as in claim 43, wherein the validating section generates rights data which determine the one or more offers associated with the information requested.

48. The system as in claim 47, wherein the validating section generates the rights data prior to delivering the requested information and delivers the rights data together with the requested information.

49. The system as in claim 47, wherein the validating section provides the rights data to the consumer in a secure format.

50. The system as in claim 47, wherein the validating section dynamically updates the rights data.

51. The system as in claim 42, further comprising a transaction processing section for executing a financial transaction between the consumer and a retailer related to the use of the requested information.

52. The system as in claim 42, further comprising a player associated with the consumer wherein the player renders the selected item of information according to the consumer's request only when said request is consistent with said selected offer.

53. The system as in claim 43, wherein the validating section verifies the current validity of the previously selected offer at a point in time subsequent to the selection of the offer.

54. The system as in claim 42, wherein the request receiving section receives a request from the consumer for additional material about the selected item of information; and wherein the delivery section provides additional material about said selected item of information to the consumer.

55. The system as in claim 54, wherein the delivery section provides a sample of said selected item of information.

56. The system as in claim 42, wherein the delivery section provides payment alternatives about said selected item of information to the consumer.

57. The system as claim 42, further comprising a registration section which operates to:

- a. determine whether the consumer has a player; and

b. provide the consumer with the player when the consumer does not have the player; and

c. activate the player for the consumer.

58. The system as in claim 42, wherein the delivery section delivers the requested information after enabling the consumer, at a time designated by the consumer.

59. The system as in claim 42, wherein the delivery section delivers audio information.

60. The system as in claim 42, wherein the delivery section delivers graphical information.

61. The system as in claim 42, wherein the delivery section delivers electronic information in a secure format.

62. The system as in claim 42, wherein the offer formulating section provides the one or more offers to the consumer in a secure format.

63. The system as in claim 42, further comprising a monitoring section for monitoring the use by the consumer of the delivered information.

64. The system as in claim 63, wherein the monitoring section detects the manner of use of the information previously delivered to the consumer; determines whether the use is within the scope of the selected offer; and prevents the use when the use is not within the scope of the selected offer.

65. The system as in claim 64, further comprising a tracking section for tracking the use by the consumer of the requested information when the use is within the scope of the selected offer.

66. The system as in claim 65, further comprising a transaction processing section for effecting a financial transaction according to the tracked use.

67. The system as in claim 66, wherein the transaction processing section effects the financial transaction according to the selected offer.

68. The system as in claim 42, wherein the offer formulating section provides an offer that allows the consumer to pay an amount for each instance of use of the information.

69. The system as in claim 42, wherein the offer formulating section provides an offer that allows the consumer to pay a fee for unlimited use of the information for a period of time.

70. The system as in claim 42, further comprising a query section which operates to:

- a. receive a query containing one or more search terms from the consumer;
- b. reference a catalog to determine whether there is any entry containing the one or more search terms;
- c. return to the consumer one or more content references corresponding to any entry containing the one or more search terms when such entry is present in the catalog; and
- d. receive from the consumer a content reference selected by the consumer indicating a request for the information identified by the content reference.

71. The system as in claim 42, wherein the offer formulating section utilizes an electronic contact representing an agreement between a content owner and a retailer in formulating the one or more offers.

72. The system as in claim 42, wherein the offer formulating section utilizes one or more business rules representing conditions for the distribution of selected item of information in formulating the one or more offers.

73. The system as in claim 42, further comprising a certifying section for certifying a candidate offer received from a retailer as a certified offer and sending the certified offer to the retailer.

74. The system as in claim 73, wherein the certifying section determines whether the candidate offer is consistent with an electronic contract and designates the candidate offer as the certified offer when there are no inconsistencies.

75. The system as in claim 73, wherein the certifying section determines whether the candidate offer is consistent with a business rule and designates the candidate offer as the certified offer when there are no inconsistencies.

76. The system as in claim 42, wherein the offer providing section operates to:

a. determine whether there is an offer accompanying the request for the selected item of information received from the consumer; and

b. supply an offer to the consumer when there is no offer accompanying the request received from the consumer.

77. A system for delivering electronic information from a first location to a second location wherein the first location sends to the second location a content reference using a computer network comprising:

a. a central location for receiving from said second location a request to render a selected item of information identified by the content reference;

b. an authorizing section which receives from the central location an identification of the selected item of information; determines whether the second location is authorized to use

the selected item of information; and generates an authorization signal when the second location is appropriately authorized; and

c. a rendering section which receives the authorization signal and renders the selected item of information at the second location in accordance with the authorization signal.

78. The system as in claim 77, further comprising a delivering section for providing the selected item of information identified by the content reference to the second consumer.

79. The system as in claim 77, further comprising:

a. an offer providing section for providing the second consumer with one or more offers for the selected item of information; and

b. a selection input section for receiving from the second consumer a selection of one of the offers for the selected item of information.

80. The system as in claim 77, wherein the monitoring section which operates to:

a. reference an offer associated with the content reference received from the second consumer;

b. verify the validity of the associated offer; and

c. determine whether the request to render is consistent with the associated offer.

81. A computer readable medium encoded with processing instructions for implementing a method for distributing electronic information using a computer network, the method comprising:

- a. receiving from a consumer a request for a selected item of information;
- b. formulating one or more offers based on predefined business rule parameters

wherein the one or more offers are associated with the selected item of information;

- c. providing the one or more offers to the consumer;
- d. receiving a selection of one of the offers from the consumer; and
- e. delivering the requested information to the consumer and enabling the

consumer to use the delivered information in accordance with the selected offer.

82. A computer readable medium encoded with processing instructions for implementing a method for distributing electronic information using a computer network, the method comprising:

- a. sending a content reference from a first consumer to a second consumer;
- b. at a central location, receiving from said second consumer a request to render a

selected item of information identified by the content reference;

- c. determining whether the second consumer is authorized to use the selected item of information; and

- d. at the second consumer, rendering the selected item of information when the second consumer is authorized to use the selected item of information.

83. An apparatus for distributing electronic information using a computer network, comprising:

- a. a processor; and
- b. a memory in operative connection with the processor for storing the processing

instructions enabling the processor to:

- (i) receive from a consumer a request for a selected item of information;
- (ii) formulate one or more offers based on predefined business rule parameters wherein the one or more offers are associated with the selected item of information;
- (iii) provide the one or more offers to the consumer;
- (iv) receive a selection of one of the offers from the consumer; and
- (v) deliver the requested information to the consumer to enable the consumer to use the delivered information in accordance with the selected offer.

84. An apparatus for distributing electronic information using a computer network, comprising:

- a. a processor; and
- b. a memory in operative connection with the processor for storing the processing

instructions enabling the processor to:

- (i) send a content reference from a first consumer to a second consumer;

(ii) at a central location, receive from said second consumer a request to render a selected item of information identified by the content reference.

(iii) determine whether the second consumer is authorized to use the selected item of information; and

(iv) at the second consumer, render the selected item of information when the second consumer is authorized to use the selected item of information.

85. (New) A method for distributing electronic content using a computer network comprising the steps of:

a. identifying an item of electronic content for distribution to at least one consumer;

b. preparing at least one offer for distribution of the item based on predetermined distribution rules;

c. presenting to the consumer at least one offer for the item;

d. receiving a response to the offer from the consumer;

e. formulating a valid offer for the item comprising at least one of:

i. confirming that the offer is consistent with the corresponding distribution rules for the item;

ii. modifying the offer to provide an alternative offer that is validated to be consistent with the corresponding distribution rules for the item; and

- iii. furnishing a default offer;
- f. receiving an acceptance of a selected valid offer from the consumer;
- g. delivering the item to the consumer; and
- h. enabling the consumer to use the item only according to the accepted offer.

86. (New) A method for distributing electronic content using a computer network comprising the steps of:

- a. identifying an item of electronic content for distribution to at least one consumer;
- b. preparing at least one offer for distribution of the item based on predetermined distribution rules;
- c. presenting to the consumer at least one offer for the item;
- d. receiving a response to the offer from the consumer;
- e. formulating a valid offer for the item comprising at least one of:
 - i. confirming that the offer is consistent with the corresponding distribution rules for the item;
 - ii. modifying the offer to provide an alternative offer that is validated to be consistent with the corresponding distribution rules for the item; and
 - iii. furnishing a default offer;
- f. receiving an acceptance of a selected valid offer from the consumer;

- g. delivering the item to the consumer;
- h. determining whether the consumer has a player for the item;
- i. delivering the player to the consumer when the consumer does not have the player;
- j. activating the player for the consumer; and
- k. enabling the consumer to use the item only according to the accepted offer.

87. (New) A method for distributing electronic content using a computer network comprising the steps of:


- a. receiving a candidate offer from a retailer;
- b. certifying the candidate offer as a certified offer;
- c. sending the certified offer to the retailer;
- d. receiving from a consumer a request for the item;
- e. providing at least one certified offer to the consumer;
- f. receiving acceptance of a certified offer from the consumer;
- g. delivering the item to the consumer; and
- h. enabling the consumer to use the item according to the accepted offer.

88. (New) The method as in claim 87, further comprising the steps of:

- a. preparing at least one offer for distribution of the item based on predetermined distribution rules; and

- b. formulating a valid offer for the item comprising at least one of:
 - i. confirming that the offer is consistent with the corresponding distribution rules for the item;
 - ii. modifying the offer to provide an alternative offer that is validated to be consistent with the corresponding distribution rules for the item; and
 - iii. furnishing a default offer.

Respectfully submitted,


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